



UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

MIDDLEBROOKS SHAPIRO, P.C.

841 Mountain Avenue, First Floor
Springfield, New Jersey 07081
(973) 218-6877

Jessica M. Minneci, Esq.
jminneci@middlebrooksshapiro.com
Attorneys for the Chapter 13 Debtor,
Yong Suck Lee

Order Filed on March 1, 2019
by Clerk
U.S. Bankruptcy Court
District of New Jersey

In re:

YONG SUCK LEE,

Chapter 13 Debtor.

Case No.: 18-11532-VFP

Adv. Pro. No.

Judge: Vincent F. Papalia

**ORDER QUASHING RULE 2004 SUBPOENA DIRECTED TO
YONG SUCK LEE ON BEHALF OF DISPUTED CREDITOR JR ARTS
AND CRAFTS CO., LTD AND GRANTING RELATED RELIEF**

The relief set forth on the following pages, numbered two (2) through two (2), is hereby

ORDERED.

DATED: March 1, 2019

A handwritten signature in black ink, appearing to read "Honorable Vincent F. Papalia".

Honorable Vincent F. Papalia
United States Bankruptcy Judge

In re: Yong Suck Lee
Case No. 18-11532-VFP
Caption: Order Quashing Rule 2004 Subpoena Directed To Yong Suck Lee On Behalf Of Disputed Creditor JR Arts and Crafts Co., LTD and Granting Related Relief

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THIS MATTER having been brought before the Court on behalf of Yong Suck Lee, Chapter 13 Debtor in the above-referenced Chapter 13 proceeding (the “Debtor”), by and through his counsel, Middlebrooks Shapiro, P.C., by way of Motion for Order Quashing Rule 2004 Subpoena Directed to Yong Suck Lee on Behalf of Disputed Creditor JR Arts and Crafts Co., LTD Pursuant to Fed. R. Bankr. P. 2004, D.N.J. LBR 2004-1(d), Fed. R. Civ. P. 45, Fed. R. Bankr. P. 9016 and 11 U.S.C. §105(a); and for Related Relief (the “Motion”); and the Court having considered the papers filed in connection with the Motion; and the Court having considered the oral arguments of counsel, if any; and for good cause shown,

IT IS HEREBY

ORDERED, that the Motion shall be and is hereby granted in its entirety; and it is further

ORDERED, that the Subpoena for Rule 2004 Examination directed to Yong Suck Lee on Behalf of Disputed Creditor JR Arts and Crafts Co., LTD shall be and is hereby quashed.

The entry of this Order is without prejudice to the rights of JR Arts and Crafts Co., LTD to seek discovery from the Debtor in the pending New York State Court action and the rights of the Debtor to oppose such discovery, all in accordance with applicable New York law. The automatic stay does not preclude or prevent the taking of discovery from the Debtor in the New York State Court action. The stay applies only with respect to the actions or proceedings identified in section 362(a) of the Bankruptcy Code, which generally precludes a party from taking any action to recover a pre-filing debt or obligation of the Debtor, unless stay relief is granted. Thus, to the extent JR Arts and Crafts is seeking discovery from the Debtor to assist in its efforts to obtain a recovery from the other defendants in the New York State Court action, the stay is not applicable.